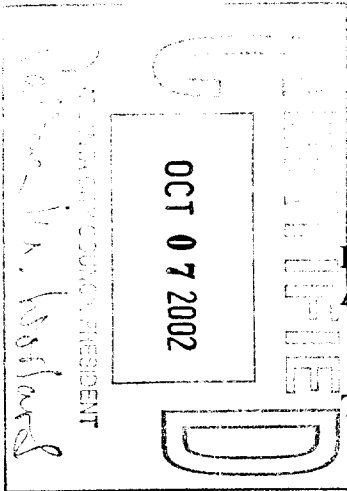


Entered - 08/29/02 - sb
CL02L0609 - DIANNE C. MITCHELL

CLAIM OF: **BONNIE LEADBETTER,**
through her attorney,
Bryan Hill
3166 Mathieson Drive,
Suite 230
Atlanta, Georgia 30305

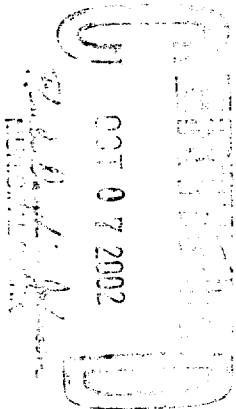
02-R-1693



For damages alleged to have been sustained as a result of a fall on
April 25, 2002 at 5770 Long Grove Drive.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSE BY
CITY COUNCIL OCT 07 2002

ADVERSE REPORT

PUBLIC SAFETY &

ADMINISTRATION COMMITTEE

10/11/02
Natasha Archibong
[Signature]
[Signature]



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

October 17, 2002

Bryan Hill
Attorney at Law
3166 Mathieson Dr.
Suite 230
Atlanta, GA 30305

02-R-1693

RE: Bonnie Leadbetter

Dear Attorney Hill:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on October 7, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0609

Date: September 5, 2002

Claimant /Victim BONNIE LEADBETTER
BY: (Atty) Bryan Hill
Address: 3166 Mathieson Drive, Suite 230, Atlanta, Georgia 30305
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 08/23/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 04/25/02 Place: 5770 Long Grove Drive
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she was injured when she stepped into a hole at the above location. The investigation determined that the location where the claimant alleges she was injured is outside the Atlanta City limits in Fulton County. The claimant's attorney has been advised to pursue this claim with Fulton County.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager: Dianne C. Mitchell Concur/date 09-06-02
Committee Action: Council Action

RCS# 4099
10/07/02
5:15 PM

Atlanta City Council

Regular Session

CONSENT I 0613;1695;1544;1562;1581;1666;1551
 1668; Except CDHR #6-#10
 RECON/READOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
NV Young	Y Shook	NV Maddox	NV Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

CONSENT I

		10/07/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSE ON CONSENT AGENDA
1. 02-O-1538	46. 02-R-1702	53. 02-R-1675
2. 02-O-1549	47. 02-R-1703	54. 02-R-1676
3. 02-O-1554	48. 02-R-1704	55. 02-R-1677
4. 02-O-1466	49. 02-R-1705	56. 02-R-1678
5. 02-O-1253	50. 02-R-1706	57. 02-R-1679
6. 02-O-1575	51. 02-R-1707	58. 02-R-1680
7. 02-O-1576	52. 02-R-1708	59. 02-R-1681
8. 02-O-1582		60. 02-R-1682
9. 02-O-1447		61. 02-R-1683
10. 02-O-1545		62. 02-R-1684
11. 02-O-1261		63. 02-R-1685
12. 02-O-1534		64. 02-R-1686
13. 02-R-1662		65. 02-R-1687
14. 02-R-1669		66. 02-R-1688
15. 02-R-1709		67. 02-R-1689
16. 02-R-1711		68. 02-R-1690
17. 02-R-1712		69. 02-R-1691
18. 02-R-1713		70. 02-R-1692
19. 02-R-1633		71. 02-R-1693
20. 02-R-1664		72. 02-R-1694
21. 02-R-1667		73. 02-R-1696
22. 02-R-1673		74. 02-R-1697
23. 02-R-1469		
24. 02-R-1642		
25. 02-R-1644		
26. 02-R-1649		
27. 02-R-1714		
28. 02-R-1727		
29. 02-R-1650		
30. 02-R-1651		
31. 02-R-1652		
32. 02-R-1653		
33. 02-R-1654		
34. 02-R-1655		
35. 02-R-1656		
36. 02-R-1657		
37. 02-R-1658		
38. 02-R-1659		
39. 02-R-1660		
40. 02-R-1718		
41. 02-R-1719		
42. 02-R-1698		
43. 02-R-1699		
44. 02-R-1700		
45. 02-R-1701		

Consent I Vote: 10Yeas; 0 Nays (See RCS #4099; Reconsidered See RCS #4043)

Items Removed from Consent: 02-R-1613; 02-R-1695; 02-O-1544; 02-O-1562; 02-O-1581; 02-R-1666; 02-O-1551; 02-R-1668; 02-O-1598; 02-O-1599; 02-O-1600; 02-O-1601; 02-O-1602